



**SCOTTSDALE DEVELOPMENT REVIEW BOARD
KIVA - CITY HALL
3939 N. DRINKWATER BOULEVARD
MARCH 2, 2006
APPROVED MARCH 16, 2006**

PRESENT: Betty Drake, Councilmember
Jeremy Jones, Vice Chairman
Eric Hess, Commissioner
E.L. Cortez, Design Member
Michael D'Andrea, Development Member
Kevin O'Neill, Development Member
Michael Schmitt, Design Member

STAFF: Mac Cummins
Tim Curtis
Kroy Ekblaw
Dan Symer
Lusia Galav
Frank Gray
Don Hadder
Al Ward
Bob Wood

CALL TO ORDER

The study session of the Scottsdale Development Review Board was called to order by Councilmember Drake at 1:00 p.m.

ROLL CALL

A formal roll call confirmed members present as stated above.

OPENING STATEMENT

Councilmember Drake read the opening statement that describes the role of the Development Review Board and the procedures used in conducting this meeting.

MINUTES APPROVAL

1. February 16, 2006 DRB Study Session Minutes
2. February 16, 2006 DRB Regular Meeting Minutes

Vice-Chairman Jones noted on page two, item eight, line three, the word "ingrate" should read "grating."

VICE-CHAIRMAN JONES MOVED TO APPROVE THE FEBRUARY 16, 2006 STUDY SESSION AND REGULAR MEETING MINUTES WITH THE NOTED AMENDMENT. SECONDED BY BOARD MEMBER D'ANDREA, THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SEVEN (7) TO ZERO (0).

Councilmember Drake noted that consent agenda items 5-DR-1977#4 and 1-DR-2006 were to be moved to the regular agenda.

Board Member O'Neill opined that both regular agenda items, 102-DR-2005 and 12-DR-2006, could be moved to the consent agenda.

Vice-Chairman Jones noted he would agree to move item 102-DR-2005, but he would like to keep item 12-DR-2006 on the regular agenda for further clarification.

Ms. Galav advised that the Applicant requested item 102-DR-2005 be on regular agenda because of a disagreement with the stipulations.

Ms. Galav clarified for Vice-Chairman Jones item 12-DR-2006 is on regular agenda because Applicant is applying for a storefront change and there is a discrepancy with the color. She agreed that the Board could review the item and add a stipulation before moving it to consent. Mr. Curtis advised that the Applicant wanted to talk about the case in terms of the color selection.

VICE-CHAIRMAN JONES MOVED TO MOVE ITEMS 4, 5-DR-1977#4, AND 9, 1-DR-2006, FROM THE CONSENT AGENDA TO THE REGULAR AGENDA. SECONDED BY COMMISSIONER HESS, THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SEVEN (7) TO ZERO (0).

CONSENT AGENDA

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| 3. | 1-MS-2005 | <u>McDowell Mountain Business Center</u> |
| 5. | 20-PP-2005/95-DR-2005 | <u>Desert Mountain Phase III Unit Forty-three</u> |
| 6. | 64-DR-2005 | <u>Northsight Office Park</u> |
| 7. | 89-DR-2005 | <u>The Showrooms @ Hayden</u> |
| 8. | 111-DR-2005 | <u>Cingular WCF P729A - Shea Boulevard</u> |

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Vice-Chairman Jones requested that Board Member D'Andrea formulate the stipulation for item 7.

Board member D'Andrea worded the stipulation for item 7, 89-DR-2005, as follows: The Applicant shall expand the architectural elements used on the northwest corner a minimum of a couple of bays farther down the building.

VICE-CHAIRMAN JONES MOVED THAT ITEMS 1-MS-2005, 20-PP-2005/95-DR-2005, AND 64-DR-2005 BE APPROVED AS STATED; THAT ITEM 89-DR-2005 BE APPROVED WITH THE STIPULATION THAT THE ARCHITECTURAL ELEMENTS BE EXPANDED A FEW MORE BAYS DOWN THE FAÇADE, AND ITEM 111-DR-2005 BE APPROVED WITH THE STIPULATION THAT A MINIMAL METAL ENCLOSURE BE PROVIDED TO HIDE THE ELECTRICAL METER AND THAT THE BOX THAT IS SHOWN AS TURQUOISE IN THE ILLUSTRATION BE PAINTED AN EARTH TONE. SECONDED BY COMMISSIONER HESS, THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SEVEN (7) TO ZERO (0).

REGULAR AGENDA

4. 5-DR-1977#4 Giants - New Clubhouse Facility

Mr. Kroy Ekblaw addressed the Board. Highlights of his presentation included an aerial view of the spring training facility at Indian School Park, a close-up plan of Club Sar, floor plans, elevations, the massing analysis, and photographs of the stadium as well as the training facility. He reviewed the phase one improvements at Indian School Park, which have been completed and noted that phase two improvements would commence after Spring Training. Mr. Ekblaw noted that the revised application reflects changes in the siting and massing of the training facility and changes to the parking. Addressing a question from a previous meeting concerning the entry to the Giants training facility, Mr. Ekblaw clarified that Club Sar is a public facility and the Giants facility will not be a public facility.

In response to a question by Board Member O'Neill, Mr. Ekblaw explained that there is not an FAR, the area is an open space zoning district and the plan is consistent with that overall park plan. Mr. Ekblaw clarified that because there is a municipal use master plan requirement for the park that goes through the Planning Commission and City Council, utilizing the entire site for buildings would be unlikely. Board Member O'Neill mentioned that he visited the site just before the meeting. He found it interesting that so many buildings could be placed on the site without FAR requirements.

Board Member O'Neill commented that he was not clear where the gates for the parking were going to be and how they would relate to the new clubhouse building. He opined that it could restrict the public parking and limit the walkway experience. Board Member O'Neill further noted that the site plan and the entry perspective are not correlated.

Mr. Ekblaw clarified that the landscaping and the final pedestrian circulation plans would be brought back to the Development Review Board. He reviewed the tentative parking and fencing plan, noting the concrete pedestrian paths would be free of fencing. Board Member O'Neill proposed that the fence go in the location, which was shown, on the entry perspective. He suggested a pedestrian gate that would enable the Giants to access their building while allowing the public to have a better entry experience when they are coming to Club Sar.

Board Member O'Neill opined that the previous proposal for an expansion to the existing Club Sar facility was superior to the current proposal. Mr. Ekblaw reiterated that a commitment was made a year ago to come back with a plan addressing the pedestrian surface and landscaping. Board Member O'Neill commented that he would not support the current application.

Board Member D'Andrea opined that part of spring training is the opportunity for fan interaction with the players. He suggested that people parking in the back lot be brought through the courtyard on a diagonal. This would provide an opportunity to maintain excitement for people that come to the park, while protecting the players.

Mr. Ekblaw stated that there are ongoing discussions with the Giants, noting there are operational issues and security requirements. He mentioned during spring training the Giants have planned to provide opportunities for public access to the areas.

In response to an inquiry by Board Member Cortez concerning ADA requirements for Club Sar, Mr. Ekblaw explained that part of the strategy is grade changes in the parking lot to raise the south end. He noted that this strategy would be explained at their next presentation.

Board Member Schmitt opined that the architecture was appropriate for the use. He suggested that a possible solution for compliance with ADA would be to rotate the south gates in the parking lot ninety degrees and connect the two islands, which would open up an entry to Club Sar. Board Member Schmitt noted that he would be in support of the project.

Councilmember Drake commented that she also has concerns about the ADA compliance.

BOARD MEMBER D'ANDREA MOVED TO APPROVE CASE 5-DR-1977#4 WITH THE STIPULATIONS AND INCORPORATION OF SOME OF THE COMMENTS REGARDING CIRCULATION ON THE SITE, INCLUDING RELOCATING THE GATE ON THE WEST SIDE AND THAT THE FENCING IN THE COURTYARD BE WORKED WITH TO ALLOW THE PEOPLE USING THE FACILITY TO PASS THROUGH. SECONDED BY VICE-CHAIRMAN JONES, THE MOTION PASSED WITH A VOTE OF SIX (6) TO ONE (1). BOARD MEMBER O'NEILL DISSENTED.

9. 1-DR-2006 One Scottsdale - Planning Unit II

Don Hadder addressed the Board. Highlights of his presentation included a site plan, an aerial view of the area, and a block plan. He explained how the block plan was organized as a framework for future site development, which would come to the Development Review Board block by block. He clarified that the case being considered would allow for site preparation considerations and infrastructure issues to begin.

Ms. Shelly McTee, Anderson Brody Buchalter & Nemer, representing the Applicant addressed the Board. She reviewed the development agreement and stipulations completed when the rezoning was processed, along with the obligations of DMB relative to infrastructure and utilities. Presenting the land use circulation plan, Ms. McTee reviewed the mixed uses, which would be part of the project. She reviewed the additional development standards, which are based on the Planned Regional Center District and include the FAR requirements.

Vice-Chairman Jones commented that the Board was optimistic about the potentially great project. He inquired what the Applicant foresees as the pattern for the development of the blocks and their relationship to the development of the streets that would tie them together. Ms. McTee explained DMB's intention for each area and clarified that each block would require the street network and exterior roadways accessing the block to be completed simultaneously.

In response to an inquiry by Board Member O'Neill, Ms. McTee explained that they are anticipating some aboveground parking structures in addition to the sub-grade parking. She clarified that the sub-grade parking and infrastructure would be phased in as the improvements are built.

Mr. Jeff Decker addressed the Board. Highlights of his presentation included a graphic detailing the visualized breakdown of the blocking. He mentioned that the vision was developed specifically for the location and Scottsdale. Mr. Decker highlighted the zoning areas, depicting the retail core, residential, the office district, and parking structures. He opined that the street activity would be choreographed such that activity would be primary, ensuring the success of the project from a retail standpoint as well as privacy of residents. He reiterated that the scenic corridor is addressed as part of the entrance to the project. Studies are proceeding to ensure appropriate egress and ingress.

Board Member D'Andrea expressed disappointment that what was being presented was not the same as what had been presented when he went to DMB's offices. He opined that another two weeks should have been taken in order to incorporate Board comments into a packet with more substance. He asked staff to clarify what the Board was being asked to approve and what the information being presented meant. Mr. Hadder clarified that a pattern needs to be established for the entire infrastructure that should be in place in advance. Board Member D'Andrea reiterated that he feels that he needs more input in order to understand the intent of the project.

Board Member O'Neill commented that the block layout in the packet is not consistent with what was presented by Mr. Decker; the blocks and streets are

broken up differently. He mentioned that it was his understanding that if any changes were made to the block layout it would have to come back. The Board was seeing an evolution from what they were being asked to approve during the same meeting. He questioned the flexibility of what was being approved. Mr. Hadder explained that an approval would provide the ability to establish primary water lines, sewer line corridors, key drainage corridors, and the parameters under which Development Review Board cases would come forward from a block-by-block standpoint.

Board Member Schmitt reported that he had begun looking at the stipulations for the zoning case, 20-ZN-2002, for the project. He recalled that two weeks ago the Development Review Board was presented with the MEDCAP, which he opined was a minimalist document for a project of importance. He opined had the Board been provided with the appropriate information in the MEDCAP, there would not be any confusion. Board Member Schmitt noted that having had the chance to meet with and review the thought process of the developers, he could see that the project would have great character. He clarified that if the MEDCAP were presented the way it was intended he would be comfortable moving the project forward. Mr. Hadder reported what the DRB was presented with two weeks ago was an executive summary of the MEDCAP and staff has since been provided with the complete version.

In response to an inquiry by Councilmember Drake, Mr. Hadder reported that the full version could be brought back to the Board, noting the stipulations were set up for staff approval. Councilmember Drake opined that if the project would return block by block there should be a specific unifying urban design infrastructure to pull it together, which the Development Review Board would want to review.

Vice-Chairman Jones opined that in meetings with the developer, it was obvious that the intentions exceed what would normally develop in the usual process. He noted that he would be more comfortable making it clear that the Development Review Board was only approving the approach to the project, the basic layout of the site, and placing the responsibility on the owner to make the project continue to work. He commented that the project has a chance to be special and unique with the potential to redefine what urban desert architecture ought to be. Vice-Chairman Jones stated that he would be in favor of a looser approach for the project.

In response to a question by Board Member O'Neill, Mr. Hadder stressed that what needs to be addressed are site preparation issues: major drainage systems, key water and sewer elements and connections to key roads on the outside. He reiterated that what was needed was a basis for reviewing infrastructure. He committed to the Board to work out a program of regular communications about certain key decisions and directions.

Board Member O'Neill commented that he was uneasy about the vagueness of the project. He stated that the reputation of Mr. Hadder and his commitment to bring the issues back and the reputation of DMB's excellence make him more comfortable with the project, which was the reason that he was torn in his decision.

In response to Councilmember Drake, Mr. Hadder explained that the key infrastructure points were the road connections and major underground drainage systems, pipes and underground storage. The application would allow the Applicant to move forward with the key underground infrastructure.

In response to Board Member D'Andrea, Mr. Hadder clarified that permits cannot be issued until the application is approved. With this different type of multi-phase project a way needs to be found to move forward in a timely manner so that when the project is ready to move forward, the framework is in place.

Vice-Chairman Jones summarized that the developer needed assurance that they have not created a schematic approach to the project that is going to run into a lot of trouble later, that the Board is in general approval of the approach to the project, and that assurance from the Development Review Board would allow them to obtain the financing to continue. He noted that the Board could react only to the booklet, which was submitted in public. The Board could react by saying that they approve of the project as a concept for development and that nothing beyond what they have seen in the booklet would be approved.

Councilmember Drake agreed with Vice-Chairman Jones with a caveat that they are not approving the final street and block layouts and that the full MEDCAP be returned to the Development Review Board for review.

Board Member O'Neill suggested that in addition to Vice-Chairman Jones' suggestions, it be clarified that the Board is not approving the scenic corridor plan, which was included in the packet.

VICE-CHAIRMAN JONES MOVED TO APPROVE 1-DR-2006, ONE SCOTTSDALE -PLANNING UNIT II, WITH THE FOLLOWING STIPULATIONS: ONE, THAT THE APPROVAL IS AS A CONCEPTUAL APPROACH WITHOUT IMPLICATION THAT DEVELOPMENT NOT YET SHOWN IS APPROVED IN ANY WAY; TWO, THAT THE SCENIC CORRIDOR SHOWS A COMMITMENT BUT NOT A DESIGN; THREE, THAT THE FULL MEDCAP BE RETURNED TO THE DEVELOPMENT REVIEW BOARD FOR FURTHER REVIEW. SECONDED BY BOARD MEMBER CORTEZ, THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SEVEN (7) TO ZERO (0).

10. 102-DR-2005 El Paseo-Retail Center

Mac Cummins addressed the Board. Highlights of his presentation included a site plan, which represented access and internal circulation, a landscape plan, and elevations. He clarified that the request was for construction of two retail buildings at the corner of Camelback and 68th Street. He noted when the site went through rezoning, the Applicant was granted a stipulation to the site plan, which set the footprints of the buildings and the access points.

Mr. Cummins mentioned that staff included in the packet a report and analysis of the City Council items for consideration typically listed in a rezoning case. Particular to this case was a concern about the plaza area at the corner of 68th and Camelback, because it is the entry point into the downtown area. He noted

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the Applicant would be placing public art, pedestrian benches and raised landscape planters in that area.

Mr. Cummins clarified that the application was on the regular agenda because of a disagreement concerning the storefronts. The Applicant would like the entire storefront to be glass and the City typically stipulates that low wainscoting be used. He noted that staff recommended approval with stipulations.

In response to a question by Board Member Cortez, Mr. Cummins clarified that the Applicant has proposed that a large brass horse statue be placed on the corner of Camelback and 68th Street and that a series of murals be placed along the westerly face of the Shops A building which would face out towards the sidewalk. He noted that the project architect was available for questions.

Lynne Lagarde, representing the Applicant, addressed parking lot landscaping, presenting photographs of parking lots of similar size that have not been required to have large planters. She asked that the Board approve the planters as presented in the site plan.

Ms. Galav argued that there are different zoning requirements for landscape islands in the downtown zoning district and that the photographs Ms. Lagarde presented did not apply to this case.

Mr. Larry Ellerman, project architect, addressed the Board. He argued that the wainscot requirement should be waived in order to provide the maximum opportunity to merchandise the windows. Leasing flexibility is lost with the wainscoting. Mr. Ellerman presented pictures of area businesses, which have all-glass storefronts. He opined that the Applicant was requesting something minimal which would make a difference from an architectural and aesthetic standpoint.

In response to Board Member Cortez, Mr. Ellerman elaborated on the overall design concept for the project. He mentioned that the design was an attempt to create a statement for the gateway to Scottsdale. He noted the artwork was an attempt to document the history of the site; the Applicant is currently in discussions with the American Quarter Horse Association to locate an appropriate sculpture. He stated that the design is being called contemporary southwest, with the use of natural materials, colors, and textures. Mr. Ellerman clarified that the steel trellis on Camelback Road will be used to create a shading element, noting that design details have not been decided.

Board Member Cortez opined that with the overall nature of the center being geared toward higher end users, the parking lot landscaping restriction would not be an issue.

In response to a question from Board Member D'Andrea, Mr. Ellerman explained that originally the trash enclosure was located north of Shops A. He reported that staff recommended changing the area, noting that the Applicant would prefer to place the enclosure in the original location.

Board Member D'Andrea opined that the trash enclosure at the corner would be a preferred solution and that the majority of the pedestrian circulation would be internal to the site.

In response to Councilmember Drake, Mr. Cummins explained that the trash location became an issue during zoning. He noted that the original proposal would have created a conflict with 68th Street. He stated that the trash enclosure could be returned to the original location, with the agreement of the sanitation department.

Bob Wood from the Long Range Planning Division explained that a wainscot is generally preferred in downtown retail. He opined that the case could be looked at situationally with respect to the tenants or parts of the building.

Board Member D'Andrea opined that as design standards continue to grow in the area, each project should be looked at individually with regard to wainscoting. He noted that he would be in approval of changing both stipulations and that they should look at relocating the trash enclosure.

Vice-Chairman Jones opined that full glass storefronts should be permitted. Because of the size of the parking lot, the general quality of the landscaping should be taken into consideration instead of the exact nature of the islands; and a stipulation should be included to move the trash enclosure to be grouped with Building A.

Board Member Schmitt opined that the trash enclosure in the northeast corner of the parking lot appeared to be large enough to accommodate two Dumpsters, which would be adequate for a center of this size. His suggestion was to eliminate the trash container in the center of the parking lot and use two refuse containers at the northeast corner. Mr. Cummins suggested that the distance from shops A, diagonally across the entire site to the Dumpsters may be a problem for some users. Board Member Schmitt argued that on a larger site, that location would be considered a short distance. Mr. Ellerman advised that higher-end users would require the convenience of both Dumpster locations.

Board Member Schmitt commented that he appreciated the design and character of the buildings and he would agree that not having wainscoting would be appropriate for this case.

In response to an inquiry by Vice-Chairman Jones, Councilmember Drake stated that the Council comments concerning lighting on the site were initiated by a staff recommendation. She suggested that it was a consideration of the context of the site as a gateway and was not a special focus of the Council discussion. Mr. Cummins agreed that there was no discussion and reiterated that it was a context issue.

VICE-CHAIRMAN JONES MOVED TO APPROVE 102-DR-2005 WITH THE FOLLOWING STIPULATIONS: FIRST, THAT THE APPLICANT BE PERMITTED TO RETURN THE TRASH ENCLOSURE TO A POSITION ADJACENT TO BUILDING A, SECOND THAT THE GLASS BE ALLOWED TO EXTEND TO THE GROUND ON THIS PROJECT, AND THIRD THAT THE

VARIATION ON THE TREE ISLAND BE APPROVED WITH ADDITIONAL TREES BEING ADDED WITHIN THE SHOPPING AREA TO GIVE AN OVERALL ADEQUATE LANDSCAPE EFFECT TO THE PARKING AREA. BOARD MEMBER CORTEZ SECONDED THE MOTION.

Ms. Galav clarified that it was the intention of the motion to eliminate stipulation three concerning the wainscoting, to approve the interpretation as shown on the site plan of the ordinance requirement shown under stipulation B, and that stipulation fourteen would be replaced with a stipulation to plant trees in the parking lot where the trash containers had been located.

THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SEVEN (7) TO ZERO (0).

11. 12-DR-2006 Skeptical Chymist

Mr. Cummins addressed the Board. Highlights of his presentation included an aerial photograph of the shopping center, photographs of the parking lot depicting the storefront, and the site elevation. He explained that the applicant had proposed installing a new wood storefront; the lower portion would be painted blue and the upper section would have a dark walnut stain. The Applicant proposed gooseneck lighting which would be mounted above the storefront. Mr. Cummins highlighted the fact that relative to the rest of the center, the proposal was a significant change from the colors and materials of the building. The proposal had been approved by the center with the agreement that the original storefront would be restored when the Applicant vacated the suite. He noted that the staff had stipulated installing a wall sconce type of lighting in place of the gooseneck and using a muted blue color instead of the blue color proposed for the storefront.

Vice-Chairman Jones commented that this particular location has changed uses quite a few times because it is around the corner and is not visible, pointing out a need for an identity. He opined that the color and the gooseneck lights would help create a little of the Irish pub character. He noted that he would be in favor of the project as proposed.

Mr. Trevor Kingston addressed the Board giving a brief history of Irish pubs which are traditionally brightly colored and well lit. He presented photographs of the storefront viewed from the parking lot at night depicting no exterior lighting near the pub, which highlighted the fact that the business was not visible at night. He stressed the fact that a well-lit area was needed in order for customers to locate the business. Mr. Kingston requested that the stipulations be removed from the application.

Board Member Cortez recalled the Development Review Board approving some cases recently with gooseneck lighting. Mr. Curtis confirmed because gooseneck lighting serves the purpose of illuminating the storefront as opposed to the pedestrian scale, staff considers them undesirable treatments.

Board Member Schmitt suggested choosing a shade of blue that would complement the other colors in the center. He opined that the gooseneck lighting

would be beneficial in attracting customers to the dark corner where it is located. He noted that he would be in favor of approving the application.

BOARD MEMBER D'ANDREA MOVED TO APPROVE CASE 12-DR-2006 WITH THE APPLICANTS REQUEST TO REMOVE BOTH STIPULATIONS, ONE BEING TO ALLOW THE GOOSENECK LIGHTING AND TWO BEING TO ALLOW THE COLOR CHOICE OF THE APPLICANT AS SUBMITTED. SECONDED BY COMMISSIONER HESS,

As a point of clarification Councilmember Drake reviewed the stipulations which would be removed were stipulations two and three under architectural design.

THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF SEVEN (7) TO ZERO (0).

ADJOURNMENT

With no further business to discuss, Board Member Cortez moved for adjournment at 3:29 p.m.

Respectfully submitted,
AV-Tronics, Inc